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November 27, 2012

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Dear Supervisors:

**APPROVAL OF AN ORDINANCE TO AMEND LOS ANGELES COUNTY CODE  
TITLE 2 – ADMINISTRATION, EFFECTIVE JANUARY 1, 2013  
(ALL SUPERVISORIAL DISTRICTS)  
(3 VOTES)**

**SUBJECT**

Approval of a new ordinance that amends Los Angeles County Code Title 2 – Administration.

**IT IS RECOMMENDED THAT THE BOARD AFTER THE PUBLIC HEARING,**

Introduce, waive reading, and place on the agenda for adoption the attached ordinance (Exhibit A) amending Los Angeles County Code (LACC) Title 2 – Administration to add section 2.77.095, which implements new public health fees, effective January 1, 2013.

**PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Approval of the recommended action will implement new fees to allow the Department of Public Health's (DPH), Community Health Services (CHS), Public Health Laboratory (PHL), and the Vital Records Office to recover costs for various services provided to both members of the public and community-based organizations (CBOs). The proposed service fees are designed to recoup the costs of providing certain clinical and administrative public health services. The fee structure has been reviewed and approved by the Auditor-Controller. These costs include the allocation of staff position and time, use of laboratory/clinical supplies and materials, and administrative overhead.

Community Health Services – Immunization Administration Fees

In recent years, CHS has experienced increasing costs in providing patient services, which include administering immunizations to the public. The implementation of fees for immunization administration will allow CHS to recover certain administrative costs for services provided, as opposed to current practice of funding these services solely by net County cost (NCC).

CHS participates in the Centers for Disease Control and Prevention (CDC) Vaccines for Children (VFC) Program which provides childhood vaccines to CHS under eligibility guidelines established by the federal government. As enrolled VFC providers, CHS' 11 immunization clinics obtain routine vaccines at no cost, and provide routine immunizations at no charge to eligible children (18 years of age and younger and are either Medicaid/Child Health and Disability Prevention eligible, uninsured, or American Indian/Alaska Native).

The California VFC Program permits CHS to charge a per VFC vaccine dose fee administered to a VFC-eligible patient that does not exceed \$17.55. The Auditor Controller verified the actual per dose cost to DPH to administer the immunization to be \$25.67. This cost exceeds the maximum allowable charge permitted by the VFC Program. To maintain compliance with VFC Program requirements and provide continued access to low cost immunizations, CHS will charge a per dose immunization fee of \$15.00. Additionally, should a family have two or more children, CHS will charge a total amount of \$30.00, regardless of the number of vaccinations administered per sibling during that visit. Under the California VFC guidelines, CHS may only implement this administration fee if it does not deny immunization to VFC Program eligible patients who cannot pay the fee. Moreover, no fees will be imposed on students requiring immunizations mandated by school districts. Persons requiring work-related health screenings and who are unable to obtain these services from their own provider will be charged the associated fee.

CHS also receives vaccine for use with non-VFC eligible children and a limited number of vaccines for adults through a discretionary funding program which provides vaccines to underinsured children and adolescents not served by the VFC program (Section 317 program). The same vaccine administration rules apply to fees charged for non-VFC eligible individuals who request vaccination in CHS' immunization clinics. In accordance with the administration fee charge, a sign will be posted in a prominent place stating that no patient will be denied State-funded vaccines due to inability to pay the administration fee or that they can make a donation to the provider in lieu of paying the administration fee.

#### Public Health Laboratory – Laboratory Testing Service Fees

Currently, PHL provides laboratory services to CBOs that provide health care services to patients at risk for Sexually Transmitted Diseases (STDs), HIV/AIDS, and other infectious diseases. PHL contributes to the HIV/AIDS and STD testing efforts in Los Angeles County by performing laboratory tests, thereby supporting disease diagnoses, control and prevention, epidemiological investigations, monitoring, and research. The proposed fee schedule will allow the PHL to accurately charge CBOs the cost associated with provided laboratory testing services and recover costs for providing these services.

#### The Vital Records Office

DPH Vital Records is responsible for the registration of all births and deaths occurring in Los Angeles County (excluding the cities of Long Beach and Pasadena) and issuance of disposition permits. The Vital Records Office is open Monday through Friday from 8:00 a.m. to 4:00 p.m. and on weekends and holidays from 8:30 a.m. to 12:30 p.m. The additional weekend hours were established to provide expedited death registration filings on weekends in response to requests for immediate

death certificate and disposition permit service due to religious reasons. These expedited service requests cause an increased usage of NCC from staff overtime. In order to recoup these additional staffing costs, a weekend/holiday/ after-hour service fee in the amount of \$56.55 is recommended to allow clients the option to access vital record services outside normal working hours, including on weekends and holidays and allow DPH to decrease usage of NCC and recoup the cost for these expedited service requests.

Another special service performed by Vital Records at the request of the public is the “rush” processing of a birth record. A “rush” birth certificate is processed when a new parent requests a certified copy of a birth record within two weeks due to imminent travel plans. The process of handling a “rush” birth record requires additional time and special handling since they must be processed differently than other birth certificates. Vital Records processes an average of 20 “rush” requests per day, to recoup the costs associated with the additional staff time in Vital Records and resources necessary to handle a request for the rush processing of a birth record, a Birth Certificate rush fee in the amount of \$40.70 is recommended.

Both fees were derived based on Vital Records Office’s full-time employees, overtime hourly rates, and total staff hours worked. These proposed fees will cover the cost of processing and fulfilling rush certificate requests and fulfilling expedited burial permit requests and other after normal business hour service requests. Rising costs coupled with shrinking revenue necessitate an evaluation of current operations to improve efficiency and reduce overtime pay, currently funded by NCC.

Approval of the recommended action will also amend LACC Title 2 with the updated fees.

**Implementation of Strategic Plan Goals**

The recommended actions support Goal 3, Integrated Services Delivery, of the County’s Strategic Plan.

**FISCAL IMPACT/FINANCING**

Approval of the recommended action will allow DPH to recover costs associated with laboratory, clinical, and public health services provided to patients and the public. This action is expected to capture a projected incremental revenue increase of \$283,000 consisting of \$47,000 for Community Health Services, \$98,000 for Public Health Laboratory services, and \$138,000 for Vital Record services in FY 2012-13.

**FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

CHS

CHS operates 14 public health centers located throughout Los Angeles County. The public health centers provide clinic and field services as well as health education, and nutrition for the purposes of promoting health and preventing disease. Clinical services offered at the public health centers include: STDs, tuberculosis, immunizations, and communicable diseases/triage. Related services include contact follow-up, case finding, field/outreach work, and community liaison.

In carrying out DPH’s responsibility for the protection of the public from communicable disease, there are services that should be provided regardless of the patient’s ability to pay. However, every effort will be made to collect from third-party sources available to the patient. To this end DPH has

established procedures for capturing third-party payer information from each patient sufficient to bill these payer sources, as permitted by payer, for clinical DPH services when possible.

## PHL

The PHL is a federally licensed laboratory responsible for supporting all disease control and environmental health activities within DPH in compliance with Title 17 of the California Code of Regulations. The PHL supports DPH programs to prevent and control infectious disease in epidemiologic investigation and pollution of air, water, and food and provides laboratory services by testing clinical and environmental samples for County public health and health services, County environmental management and veterinary units, and private providers. The PHL is also a key component for DPH's response effort to an Emergency situation, specifically the PHL is responsible for providing consultation, training and reference testing to sentinel laboratories for specimens classified as Bioterrorism Agents and for monitoring those agents in daily air sampling.

## The Vital Records Office

The fees charged for certified copies of birth or death certificates and filing of disposition permits are mandated in the California Health and Safety Code. These fees are created by the California State Legislature and approved by the Governor. The proposed public health services fees are for specific public requests for expedited vital record services, which are in addition to the regular duties of staff in Vital Records and require special handling and/or overtime.

The Auditor-Controller has reviewed and approved the proposed fees as to reasonableness. County Counsel has reviewed and approved the proposed ordinance as to form.

Pursuant to California Government Code, Section 66018, a local agency must hold a public hearing as part of a regularly scheduled meeting of the Board of Supervisors, before adopting an ordinance, resolution, or other legislative enactment adopting a new fee, and shall publish notice of the public hearing in a newspaper in accordance with Government Code Section 6062a. In addition to posting information regarding the fee adjustment on the DPH website, outreach has been made to inform the public, via an e-mail broadcast to Child Health and Disability Prevention Health Providers; a memo to all Los Angeles Unified School Districts; and notification to each Health Deputy.

## **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

The amended ordinance will allow DPH to obtain revenue for the benefit of the County as well as continue to provide high quality care to Los Angeles County residents.

## **CONCLUSION**

The recommended ordinance supports the implementation of an activity-based fee structure to recover the actual costs of services provided by DPH. The changes in definitions codify the new rate structure in the recommended ordinance, and will reduce confusion by utilizing the same terminology used in State laws and regulations.

The Honorable Board of Supervisors

11/27/2012

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Respectfully submitted,



JONATHAN E. FIELDING, M.D., M.P.H.

Director and Health Officer

JEF:jlm

BL#02365

Enclosures

c: Chief Executive Officer  
County Counsel  
Executive Officer, Board of Supervisors  
Auditor-Controller  
Treasurer and Tax Collector





COUNTY OF LOS ANGELES  
OFFICE OF THE COUNTY COUNSEL

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JOHN F. KRATTLI  
County Counsel

September 12, 2012

Jonathan E. Fielding, M.D., Director & Health Officer  
Department of Public Health  
313 North Figueroa Street, Room 806  
Los Angeles, California 90012

**Re: Ordinance Amending Title 2 - Administration of the  
Los Angeles County Code**

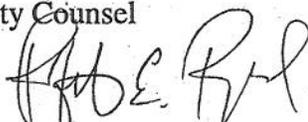
Dear Dr. Fielding:

Enclosed please find the analysis and the ordinance amending Title 2-  
Administration of the Los Angeles County Code, relating to new fees for a variety  
of public health services provided by the Department of Public Health. This  
Ordinance may be presented to the Board of Supervisors at a public hearing.

Very truly yours,

JOHN F. KRATTLI  
County Counsel

By

  
ROBERT E. RAGLAND  
Principal Deputy County Counsel  
Health Services Division

APPROVED AND RELEASED:

  
RICHARD D. WEISS  
Acting Chief Deputy

RER:sc

Enclosure

c: Jonathan E. Freedman, Chief Deputy Director  
Department of Public Health

HOA.915004.1

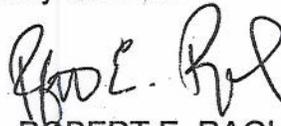
## ANALYSIS

This ordinance amends Title 2 – Administration of the Los Angeles County Code.

The ordinance permits the Director of the Department of Public Health to charge and collect fees for providing a variety of public health services to the public or to private entities. Specifically, this ordinance establishes fees for: (1) administering immunizations; (2) performing public health laboratory tests; and (3) fulfilling public requests for expedited vital records services. The Director may charge and collect these public health fees in order to recover costs associated with providing these services. Each two (2) years the Director shall determine the actual cost of providing these public health services and adjust the rate to align the rate charged to the actual cost. In addition, the Director may waive the imposition of charges for the protection of the public health, and/or for persons who are unable to pay such costs.

JOHN F. KRATTLI  
County Counsel

By



ROBERT E. RAGLAND  
Principal Deputy County Counsel  
Health Services Division

RER:sc

Requested: 03/21/12  
Revised: 09/5/12

**ORDINANCE NO. \_\_\_\_\_**

An ordinance amending Title 2 - Administration of the Los Angeles County Code relating to new public health service fees to be charged and collected by the Department of Public Health.

The Board of Supervisors of the County of Los Angeles ordains as follows:

**SECTION 1.** Section 2.77.095 is hereby added to read as follows:

**2.77.095 Department of Public Health Service Fees.**

The Director shall charge and collect public health service fees from persons or entities that request such services from the Department.

The amount of the fees charged for immunization administration, laboratory, and vital records services shall be set by the Director, subject to approval by the Board of Supervisors, and shall be calculated to recover all costs associated with the provision of the clinical and other public health services listed in this section. Beginning January 1, 2014, and every two years thereafter, the Director shall review the amount of the fees charged to assure that they align with the actual costs of providing the service. In the event that the Director determines that any specific fee does not recoup, or exceeds, the actual cost of the services, recommendation(s) may be submitted to the Board of Supervisors to amend this code to revise the amount of such fee so as to recover the actual cost of providing the service.

A. Immunizations. The Director shall charge and collect an immunization administration fee of \$15 per patient per immunization, or an immunization administration fee of \$30 per family for immunizations administered by the Department.

The cost of immunization administration services furnished by the Department shall be a charge against the patient, the patient's spouse, or the patient's parent/guardian when the patient is a minor, except as otherwise provided by law or contract.

The Director shall not charge a fee to a student when an immunization is mandated by a school district within Los Angeles County. The Director may waive collection of all or part of the fees in the event that the Director determines that the patient is unable to pay or such waiver is in the interest of protecting the public health.

B. Public Health Laboratory. Unless otherwise required by law or contract, the Director shall charge and collect a laboratory testing service fee from the requesting person or entity for the following public health laboratory testing services:

<b>Public Health Lab Program</b>	<b>Testing Fees</b>
AFBN – Acid Fast Bacilli Culture & Smear Non-Sterile	\$49.73
AFBS – Acid Fast Bacilli Culture & Smear – Special Work-Up	\$48.36
AFBN-AFBS Identification by HPLC	\$40.76
AFBN-AFBS Identification, Direct Probe	\$78.01
Mycobacteria tuberculosis, Amplified Probe	\$54.67
Quantiferon	\$40.08
Fluorescent treponemal Antibody-absorption Serum (FTA-ABS)	\$18.39
Treponema pallidum particle agglutination (TPPA)	\$11.48

RPR-Rapid Plasma Reagin Qualitative & Quantitative	\$4.46
<b>Dairy</b>	<b>Testing Fees</b>
Standard Plate Count	\$31.30
Coliform Count	\$36.23
Yeast & Mold Count	\$31.77
<b>Water Testing Services</b>	<b>Testing Fees</b>
Colilert (Presence / Absence)	\$12.21
Colilert 18	\$28.07
Enterolert	\$28.06
Heterotrophic Plate Count	\$42.43
Microscopic Exam	\$30.41
Multiple Tube Fermentation – Presumptive	\$54.48
Multiple Tube Fermentation – Confirm	\$39.85
Multiple Tube Fermentation – EC	\$39.66
Enterococcus	\$55.13
<b>Communicable Disease Testing Services</b>	<b>Fees</b>
Hepatitis B Surface Antibody	\$7.38
Hepatitis B Surface Antigen	\$6.76
Hepatitis B Core Antibody	\$8.92
Hepatitis C Antibody	\$10.66
Hepatitis A Total Antibody	\$10.87
Hepatitis A IgM Antibody	\$16.84
HIV 1/2 Plus O Antibody	\$7.50
HIV 1 EIA Screen, Oral Fluid	\$14.44
HIV 1 Western Blot, Blood	\$73.37

HIV 1 Western Blot, Oral Fluid	\$66.88
HIV 1 Viral Load	\$68.36
HIV 1 Genotyping	\$325.70
Detection of Chlamydia trachomatis & Neisseria gonorrhoeae (NAAT)	\$17.82
Herpes Simplex Virus Type 1 & Type 2, PCR	\$34.67
Herpes Simplex Virus Culture	\$49.07
Neisseria Gonorrhoeae Culture & Identification	\$25.14
Viral Culture, Comprehensive	\$49.07
Herpes Simplex Virus Type 2 EIA for IgG Serum	\$26.42

The Director may waive collection of all or part of the fees in the event that the Director determines that a patient is unable to pay or such waiver is in the interest of protecting the public health. In addition, should the Director determine that the actual cost of a laboratory test listed in this subsection B, is less than the listed testing fee, the Director may charge a lesser fee that recoups the actual cost of the laboratory testing service provided.

C. Vital Records Program. Notwithstanding vital record fees set and required by state law, the Director may charge and collect an additional service fee when a member of the public requests expedited service.

<b>Vital Records</b>	<b>Fees</b>
Rush Filing of a Birth Certificate	\$40.70
Filing of a Death Certificate during Weekend, Holiday, & After Hours	\$56.55

[277095RRCC]